

ADEQ REGULATORY AGENDA FOR 2014

This table was produced by the Arizona Department of Environmental Quality to comply with A.R.S. § 41-1021.02. Pursuant to A.R.S. § 41-1021.02(D), ADEQ may undertake a rulemaking even if the rulemaking is not included on the annual regulatory agenda.

For the current status of ADEQ's rulemakings, or for contact information, please check the Department's [Rules Web page](http://www.azdeq.gov/function/laws/rules.html):
<http://www.azdeq.gov/function/laws/rules.html>.

NOTE: Currently, ADEQ is not engaging in informal or formal rulemaking activities, except where approved by the Governor's Office, in compliance with Governor Janice K. Brewer's Regulatory Review Plan issued January 22, 2009 and [Laws 2010, 2nd Regular Session, Ch. 287, § 18](#). The Governor's Plan is now accompanied by [Executive Order 2013-03](#), which declares a rule moratorium through December 31, 2014. ADEQ will post a notice on its Rules Web page at <http://www.azdeq.gov/function/laws/rules.html> and will send a notice to stakeholders if the public process on any particular rule package begins or resumes.

I. Rulemakings Expected to Be Underway in 2014¹

Air Quality Division	Docket Opening ²	NPRM ³	NFRM ⁴	Federal Funding ⁵
Agricultural Best Management Practices* (18 A.A.C. 2, Article 6)			May 2014 (Exempt Rulemaking)	Yes
NSPS/NESHAPS/Acid Rain Incorporation by Reference through June 28, 2013 ^f (18 A.A.C. 2, Art. 2, 3, 9, 11, and Appendix 2)	June 2014	June 2014	October 2014	Yes
NSR/PSD rulemaking - NAAQS Update ^g (18 A.A.C. 2, Art. 2)	June 2014	October 2014	December 2014	Yes

*This rulemaking would add changes required by the Forty-ninth Legislature, Second Regular Session, 2010, Chapter 82, Senate Bill 1408, Section 1. This rulemaking is exempt from the requirements of the Administrative Procedure Act under Fiftieth Legislature, First Regular Session, 2011, Chapter 214, House Bill 2208, Section 4. ADEQ was granted an exemption for the rulemaking moratorium for this rulemaking, and has submitted a request for clarification of the terms of the exemption.

^f ADEQ may seek an exception from Governor's Office for the Regulatory Moratorium in order to ensure that the rules for these federally-based programs remain consistent with current federal regulations.

^gADEQ to proceed under exemption granted April 1, 2009.

¹ 2014 dates are tentative (see additional notes below).

² Anticipated date of publication of the Notice of Docket Opening in the *Arizona Administrative Register*.

³ Anticipated date of publication of the Notice of Proposed Rulemaking in the *Arizona Administrative Register*.

⁴ Anticipated date of submission of the Notice of Final Rulemaking to the Governor's Regulatory Review Council.

⁵ Some of ADEQ's rules implement federal laws such as the Clean Air Act, Clean Water Act, and Safe Drinking Water Act. ADEQ's related programs are partially funded by the U.S. Environmental Protection Agency, pursuant to a cooperative agreement under which ADEQ assumes responsibility for implementing the laws in Arizona. NSPS and NESHAPS are applicable requirements for the Title V Operating Permit Program and Arizona's NSR SIP.

ADEQ 2014 Regulatory Agenda

Waste Programs Division	Docket Opening²	NPRM³	NFRM⁴	Federal Funding⁵
Hazardous Waste Rule Amendments – 2007/2008/2009/2010/2011/2012 ^f (18 A.A.C. 8, Article 2)	Unscheduled	Unscheduled	Unscheduled	Yes
UST Operator Training ^f (18 A.A.C. 12)	Unscheduled	Unscheduled	Unscheduled	Yes
Mining Landfill General Permit ^f (18 A.A.C. 13, Article 8)	Unscheduled	Unscheduled	Unscheduled	Yes

^f ADEQ may seek an exception from Governor's Office for the Regulatory Moratorium in order to ensure that the rules for these federally-based programs remain consistent with current federal regulations.

Water Quality Division	Docket Opening²	NPRM³	NFRM⁴	Federal Funding⁵
Surface Water Quality Standards Updates ^f (18 A.A.C. 11, Article 1)	Unscheduled	Unscheduled	Unscheduled	Yes
Water Quality Protection Fees (18 A.A.C. 14, Articles 1 and 2)	Unscheduled	Unscheduled	Unscheduled	No
Arizona Pollutant Discharge Elimination System Updates ^f (18 A.A.C. 9, Article 9)	Unscheduled	Unscheduled	Unscheduled	No
Arizona Pollutant Discharge Elimination System - Disposal, Use, and Transportation of Biosolids Updates ^f (18 A.A.C. 9, Article 10)	Unscheduled	Unscheduled	Unscheduled	No

^f ADEQ may seek an exception from Governor's Office for the Regulatory Moratorium in order to ensure that the rules for these federally-based programs remain consistent with current federal regulations.

¹ 2013 dates are tentative (*see additional notes below*).

² Anticipated date of publication of the Notice of Docket Opening in the *Arizona Administrative Register*.

³ Anticipated date of publication of the Notice of Proposed Rulemaking in the *Arizona Administrative Register*.

⁴ Anticipated date of submission of the Notice of Final Rulemaking to the Governor's Regulatory Review Council.

⁵ Some of ADEQ's rules implement federal laws such as the Clean Air Act, Clean Water Act, and Safe Drinking Water Act. ADEQ's related programs are partially funded by the U.S. Environmental Protection Agency, pursuant to a cooperative agreement under which ADEQ assumes responsibility for implementing the laws in Arizona. NSPS and NESHAPS are applicable requirements for the Title V Operating Permit Program and Arizona's NSR SIP.

ADEQ 2014 Regulatory Agenda

II. Reviews of Existing Rules Due in 2013

5-Year-Review Due	Rules Being Reviewed
May 2014	18 A.A.C. 2, Articles 1 through 5, and Appendices 1, 2, 3, and 9
December 2014	18 A.A.C. 8 and 18 A.A.C. 13

III. Rules Terminated in 2012

Rule	Notice of Termination of Rulemaking
	None

IV. Privatization Options and Other Nontraditional Regulatory Approaches Being Considered

Rule	Privatization Option or Other Nontraditional Regulatory Approach
	None determined at this time.